

UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT

Byron White United States Courthouse
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Denver, Colorado 80257
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Christopher M. Wolpert
Clerk of Court

Jane K. Castro
Chief Deputy Clerk

December 01, 2021

Michael Nissen
Cibola County Correctional Institution
P.O. Box 3540
Milan, NM 87021
#02508151

RE: 21-2146, United States v. Nissen
Dist/Ag docket: 1:19-CR-00077-JB-SMV-1

Dear Appellant:

The court has received and docketed your appeal. Please note your case number above.

Attorneys must complete and file an entry of appearance form within 14 days of the date of this letter. *See* 10th Cir. R. 46.1(A). Pro se parties must complete and file an entry of appearance form within thirty days of the date of this letter. An attorney who fails to enter an appearance within that time frame will be removed from the service list for this case, and there may be other ramifications under the rules. If an appellee does not wish to participate in the appeal, a notice of non-participation should be filed via ECF as soon as possible. The notice should also indicate whether counsel wishes to continue receiving notice or service of orders issued in the case.

The court will forward all forms, letters and orders to you via US Mail. If you wish to change the method of service from US Mail to email, you must make that request in writing by completing the enclosed "Consent To Electronic Service" form and returning it to this office. Requests to change the method of service must come via regular US Mail and may not be emailed. Please note that by providing the court with a valid email address you consent to receive all orders/letters issued by the court via "notices of docket activity" (NDAs). Paper copies will not be mailed to you. When you receive an email "NDA" a link to the order/letter that has been issued will appear in the notice; you are entitled to one free "look" at the document and should download it at that time. The document will appear as a PDF so you must have the ability to view PDFs. Finally, if your email address changes you must notify the court immediately. It is your responsibility to maintain your email address.

Prisoners are reminded that to invoke the prison mailbox rule they must file with each pleading a declaration in compliance with 28 U.S.C. Section 1746 or a notarized statement, either of which must set forth the date of deposit with prison officials and must

also state that first-class postage has been prepaid. *See* Fed. R. App. P. 4(c) and *United States v. Ceballos-Martinez*, 358 F.3d 732, *revised and superseded*, 371 F.3d 713 (10th Cir.), *reh'g denied en banc*, 387 F.3d 1140 (10th Cir.), *cert. denied*, 125 S. Ct. 624 (2004). Prisoners should also review carefully Federal Rule of Appellate Procedure 4(c)(1), which was amended December 1, 2021.

You will receive further instructions regarding prosecution of this appeal from the court within the next few weeks.

Please contact this office if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Wolpert', with a long horizontal line extending to the right.

Christopher M. Wolpert
Clerk of Court

cc: Paul Mysliwicz
Alexander Mamoru Max Uballez

CMW/na